IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH,
AT HYDERABAD

THE HON'BLE SRI JUSTICE A. GOPAL REDDY

WRIT PETITION No. 21995 OF 2000

Date:18.07.2007

BETWEEN:

S. Sunitha Michael,
D/o. S. Michael, R/o. Kothagudem,
Khammam District.

…. PETITIONER

And

1. The A.P. TRANSCO, rep. By its Chief Engineer, Operation Circle, Warangal, and another.

…. RESPONDENTS

ORDER:

The petitioner, who submitted her candidature for the post of Sub-Engineers (Electrical) as notified in the notification vide R.O.C.No.363/98, dated 02.01.1999 issued by the respondents, filed this writ petition for issuance of a Writ of Mandamus declaring the action of the respondents in not implementing the rule of 30% reservation in favour of women candidates and thereby depriving the petitioner for selection to the post of Sub-Engineer (Electrical), as illegal and arbitrary.

The petitioner has not questioned the notification prior to applying for the said post. But after applying for the said post, when she failed to get a post in the Corporation, filed the present writ petition alleging that only three candidates including the petitioner have appeared in the written test, and in those three candidates, only she has got qualifying marks. If there was rule of 30% reservation for women, she would definitely be selected. Hence she sought for a direction to the respondents for implementation of rule of 30% reservation for women and to consider her candidature for the said post by implementing the reservation.

Even if a Mandamus is issued to the respondents to follow the rule of 30% reservation by earmarking 30% posts for women in all categories, the same has to be notified specifically earmarking 30% posts for women and the petitioner has to undergo selection process, on such notification being issued.

In view of the same, the respondents are directed to follow Rule 22 of the A.P. State and Subordinate Service Rules (for short 'the Rules) and Regulation No.22A of Part-II of the Rules governing the recruitment.

With the above direction, the Writ Petition is disposed of. No costs.

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(A. Gopal Reddy, J.)

18th July, 2007
Js.